

DECLARATION OF COUNSEL

I, David Z. Chesnoff, do hereby declare that the following statements are true and correct:

I am co-counsel of record for Defendant Alexander Smirnov in this case.

1. Undersigned in conjunction with co-counsel Schonfeld conferred with counsel for the government regarding this *Ex Parte* Motion and the government has advised “The government does not believe the J&C is unclear. However, the government does not oppose amending the J&C to include the language used by the court during the oral pronouncement of the sentence.”

2. For the reasons explained in the underlying *Ex Parte* Motion, Defendant seeks to Amend the Judgment of Conviction.

3. Co-Counsel Richard Schonfeld has notified counsel for the government via email of the filing of this *Ex Parte* Motion. Specifically, the following counsel for the government were being notified by email of this Motion:

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 13th day of January, 2024.


DAVID Z. CHESNOFF